

Application Serial No. 09/837,102
Reply to Office Action of March 30, 2004

Remarks

Reconsideration is respectfully requested in view of the above amendments and the following remarks.

The specification is amended at page 58, lines 20-21 to correct an error. The specification formerly disclosed that "W is smaller in Example 20 than in Example 21". However, as may be seen from Table 3 on page 64, in Example 20 $W = 3.4118$, while in Example 21 $W = 3.1885$. Thus, W is larger in Example 20 than in Example 21, and the specification is amended herein to correctly indicate this. Applicants regret any confusion stemming from the error.

Claims 4, 12, 18, 25, and 28 are canceled without prejudice or disclaimer to the subject matter.

Claim 2 is amended to incorporate limitations formerly recited in claim 12. Claim 3 is amended to incorporate limitations formerly recited in claims 4 and 25.

No new matter has been added. Claims 2, 3, 5-10, 14-15, and 19-24, 26, and 27 are pending in the application.

In the Office Action, claims 18 and 28 are rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter not described in the specification. Applicants respectfully traverse the rejection.

Claims 18 and 28 are canceled herein without prejudice or disclaimer, rendering the rejection moot. Applicants do not concede the correctness of the rejection.

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Claims 2-4, 6-8, 10, 12, 14-15, 20-22, and 24-27 are rejected under 35 U.S.C. § 103(a) as being obvious from Sakikubo (JP 5-2715U) in view of Wada (EP 313,920). Applicants respectfully traverse the rejection.

Claims 4, 12, and 25 are canceled herein without prejudice or disclaimer, rendering that portion of the rejection moot. Applicants do not concede the correctness of the rejection.

Claim 2 of the present invention recites a filter cartridge having a non-woven fabric strip, the fiber thereof being direction aligned. Claim 2 also recites that this fabric is produced by a spun bonding method. Claim 3 recites similar features.

The rejection relies upon Sakikubo to teach a non-woven strip made by carding. The rejection further relies upon Sakikubo to teach a dry type attaching method, and characterizes this as being equivalent to spun bonding. The rejection refers to section [0008] of the machine translation of Sakikubo in this regard.

However, Applicants respectfully point out that section [0008] of the machine translation of Sakikubo discloses carding and dry type attaching as part of a list of alternatives. Specifically, "the card method, the cross layer method, the random weber method, the wet making-paper method, the dry type or the wet-heat attaching method, the needle punch method, a high-tension liquid-flow method, etc."

Applicants do not concede that carding would produce direction aligned fibers as in the present invention, or that the dry type attaching method referred to in the machine translation of Sakikubo is equivalent to spun bonding as in the present invention. However, even assuming both propositions *arguendo*, the machine translation of Sakikubo does not disclose or even suggest a filter that is both produced by spun bonding and also has direction aligned fibers.

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Applicants respectfully emphasize that the machine translation of Sakikubo discloses carding and dry type attaching as alternatives. The machine translation of Sakikubo nowhere discloses or suggests combining features of two or more of the listed alternatives. Moreover, Applicants respectfully submit that the use of carding does not imply and would not inherently produce a spun bonded material, nor would dry type attaching necessarily produce direction aligned fibers.

Applicants respectfully submit that combining features of two unrelated methods from a list of alternatives in the machine translation of Sakikubo, without any disclosure or suggestion to produce such a combination, would be possible only with impermissible hindsight.

Thus, even if carding would produce direction aligned fibers, and even if dry type attaching were equivalent to spun bonding, which points Applicants do not concede, the machine translation of Sakikubo does not disclose an arrangement that combines both direction aligned fibers and spun bonding.

The rejection further relies on Wada to teach a twill form. However, even if Wada is prior art as characterized, and is suitable for combination with Sakikubo, which points Applicants do not concede, Wada does not remedy the deficiencies of Sakikubo as described above.

As the present invention according to claims 2 and 3 includes features neither disclosed nor suggested by either of Sakikubo and Wada, alone or in combination, Applicants respectfully submit that claims 2 and 3 are not obvious from Sakikubo in view of Wada. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 6-8, 10, 14-15, 20-22, 24, and 26-27 each depend from one of claims 2 and 3, and incorporate the limitations thereof. The remarks presented above with regard to claims 2 and 3

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apply equally to these dependent claims. Applicants respectfully submit that separate arguments need not be presented in its support at this time. Applicants do not concede the correctness of the rejection, and reserve the right to present further arguments.

Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 5, 18-19, and 28 are rejected under 35 U.S.C. § 103(a) as being obvious from Sakikubo in view of Wada, further in view of Pike et al. (U.S. Patent No. 6,090,731). Applicants respectfully traverse the rejection.

Claims 18 and 28 are canceled herein without prejudice or disclaimer, rendering that portion of the rejection moot. Applicants do not concede the correctness of the rejection.

Pike is relied upon to disclose thermal bonding of a strip. However, even if Pike is prior art as characterized, and is suitable for combination with Sakikubo and Wada, which points Applicants do not concede, Wada does not remedy the deficiencies of Sakikubo and Wada as described above with regard to claims 2 and 3.

Claims 5 and 19 depend from claims 2 and 3, respectfully, and incorporate the limitations thereof. The remarks presented above with regard to claims 2 and 3 apply equally to these dependent claims. Applicants respectfully submit that separate arguments need not be presented in its support at this time. Applicants do not concede the correctness of the rejection, and reserve the right to present further arguments.

Reconsideration and withdrawal of the rejection is respectfully requested.

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Claims 9 and 23 are rejected under 35 U.S.C. § 103(a) as being obvious from Sakikubo in view of Wada, further in view of Ogata (EP 466381 A1). Applicants respectfully traverse the rejection.

Ogata is relied upon to disclose thermal bonding of a strip. However, even if Ogata is prior art as characterized, and is suitable for combination with Sakikubo and Wada, which points Applicants do not concede, Wada does not remedy the deficiencies of Sakikubo and Wada as described above with regard to claims 2 and 3.

Claims 9 and 23 depend from claims 2 and 3, respectfully, and incorporate the limitations thereof. The remarks presented above with regard to claims 2 and 3 apply equally to these dependent claims. Applicants respectfully submit that separate arguments need not be presented in its support at this time. Applicants do not concede the correctness of the rejection, and reserve the right to present further arguments.

Reconsideration and withdrawal of the rejection is respectfully requested.

As all issues raised in the Office Action have been addressed, Applicants believe that this Amendment is fully responsive, and that all pending claims are in condition for allowance. Applicants respectfully request favorable reconsideration in the form of a Notice of Allowance.

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If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney of record, Curtis B. Hamre (Reg. No. 29,165) at (612) 336-4722.



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Respectfully submitted,

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A handwritten signature in cursive script, reading 'Curtis B. Hamre', written over a horizontal line.

Curtis B. Hamre
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CBH/MLL